

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 18-54907

BILLY MYERS,
and
KENDRA MYERS,

Chapter 7

Judge Thomas J. Tucker

Debtors.

ORDER DISMISSING CASE

On November 2, 2018, the Debtors filed a voluntary petition for relief under Chapter 7, commencing this case, and the Debtors each also filed, among other documents, a document entitled "Certificate of Counseling" (Docket # 1, at pdf page 8- 9), which documents state that on **May 3, 2018**, the Debtors each received "an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111."

Neither of the Debtors is eligible to be a debtor in this case, under 11 U.S.C. § 109(h)(1). That section provides in relevant part, that:

an individual may not be a debtor under this title unless such individual has, **during the 180-day period ending on the date of filing the petition by such individual**, received from an approved nonprofit budget and credit counseling agency described in section 111(a) an individual or group briefing (including a briefing conducted by telephone or on the Internet) that outlined the opportunities for available credit counseling and assisted such individual in performing a related budget analysis.

(Emphasis added).

Neither of the Debtors received the required credit counseling briefing *during the 180-day period ending on the date of the filing of the petition*. The only credit counseling certificates that the Debtors have filed show that the Debtors each received a credit counseling briefing on May 3, 2018, which was **183 days** before the petition was filed in this case.

Accordingly,

IT IS ORDERED that this case is dismissed.

Signed on November 8, 2018



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge